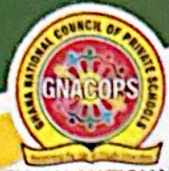


PRIVATE SCHOOL ASSOCIATIONS



GHANA NATIONAL
COUNCIL OF PRIVATE
SCHOOLS (GNACOPS)



GHANA NATIONAL
ASSOCIATION OF PRIVATE
SCHOOLS (GNAPS)



NATIONAL COUNCIL
OF PARENT-TEACHER
ASSOCIATIONS



Private
Education Coalition
Unity. Collaboration. Service

PRIVATE EDUCATION
COALITION

Our Ref: PSA/CHRAJ/PPS/11/24

Your Ref:

Date: 7TH NOVEMBER, 2024

**THE COMMISSIONER
COMMISSION ON HUMAN RIGHTS AND
ADMINISTRATIVE JUSTICE (CHRAJ)
ACCRA, GHANA**

COMMISSION OF HUMAN RIGHTS
AND ADMINISTRATIVE JUSTICE

RECEIVED
Date: 8/11/2024

[HAND DELIVERED]

Dear Sir/Madam,

**PETITION TO THE COMMISSION ON HUMAN RIGHTS AND
ADMINISTRATIVE JUSTICE (CHRAJ) AGAINST THE
GOVERNMENT'S 30% PRIORITY PLACEMENT SYSTEM FOR SENIOR
HIGH SCHOOL ADMISSIONS**

We, the Ghana National Council of Private Schools (GNACOPS), the Ghana National Association of Private Schools (GNAPS), the Private Education Coalition (PEC) and the National Council of Parent-Teachers Association (NCPTA) acting in the interest of private school students and their Parents, write to bring to your esteemed Commission's attention what we believe to be a **DISCRIMINATORY AND UNCONSTITUTIONAL POLICY** regarding the 30% priority placement system for Category A Senior High Schools (SHS).

This policy, implemented by the Government of Ghana, reserves 30% of admissions in these top-tier schools for students from public basic schools, thereby disadvantaging private school students and infringing on their rights under the laws of Ghana.

CAPACITY TO PETITION:

As recognized entities advocating for the rights of private schools and their students in Ghana, GNACOPS, GNAPS, PEC and

GNACOPS
0249 641349
GE-294-2525
Atomic Energy Commission
www.gnacops.org

GNAPS
0203 895997
Borage Green Street
Gashen Avenue,
Madina Estate, Accra, Ghana

NCPTAs
0244 418 283
Accra

PEC
0243 778486
P.O. Box AR 105
Aburi - Ghana

NCPTA empowered by the following constitutional provisions to submit this petition:

1. ARTICLE 33 OF THE 1992 CONSTITUTION - ENFORCEMENT OF FUNDAMENTAL HUMAN RIGHTS

Article 33(1) states: "Where a person alleges that a provision of this Constitution on the fundamental human rights and freedoms has been, is being or is likely to be contravened in relation to him, that person may apply to the High Court for redress."

Although Article 33(1) specifically mentions individuals, Article 33(4) extends the right to institutions such as the Ghana National Council of Private Schools (GNACOPS), the Ghana National Association of Private Schools (GNAPS), the Private Education Coalition (PEC) and the National Council of Parent-Teachers Association (NCPTA) that are acting on behalf of individuals whose rights may be infringed. As a representative bodies for private school students, GNACOPS, GNAPS, PEC and NCPTA have the right to pursue remedies for violations of their constitutional rights to equality and access to education.

2. ARTICLE 218 OF THE 1992 CONSTITUTION - MANDATE OF CHRAJ
Article 218(a) empowers CHRAJ "to investigate complaints of violations of fundamental rights and freedoms, injustice, corruption, abuse of power and unfair treatment of any person by a public officer in the exercise of his official duties."

In line with this provision, GNACOPS, GNAPS, PEC and NCPTA as the corporate bodies advocating for the rights of students, are entitled to bring complaints before CHRAJ where we believe students' constitutional rights are being violated by public policy or governmental action.

BACKGROUND TO THE PETITION:

The 30% priority placement system ensures that students from public schools are given preferential access to 30% of available spots in Category A SHS before the remaining 70% is allocated to students from both public and private schools

based on merit. This system was ostensibly created to promote equity for students from disadvantaged backgrounds in public schools. However, its implementation has resulted in undue hardship, unfair treatment, and violation of constitutional rights for students attending private schools.

It is also important to address the misguided perception that private schools are inherently better resourced or have superior facilities compared to public schools. While this may hold true in certain urban areas, it is largely not the case in many rural communities.

In fact, in some of these rural areas, private schools are often the only education facilities available, providing crucial services to communities on a non-profit basis. Many of these schools operate under the same, if not more, challenging conditions than their public counterparts, with limited infrastructure, funding, and resources.

To exclude students from such private schools through the 30% priority placement system is both unjust and fails to recognize the significant role they play in providing essential education.

LEGAL BREACHES:

We submit that this policy contravenes the 1992 Constitution of Ghana and other legal frameworks, specifically regarding the right to equality, non-discrimination, and equal access to education.

1. Violation of Article 17(1) and 17(2) of the 1992 Constitution - Equality and Freedom from Discrimination

Article 17(1) states: "All persons shall be equal before the law."

Article 17(2) adds: "A person shall not be discriminated against on grounds of gender, race, colour, ethnic origin, religion, creed or social or economic status."

The 30% priority placement policy discriminates against private school students by imposing an arbitrary barrier based on the type of school they attend, not their academic

merit or potential. This form of segregation violates the principle of equality before the law and unfairly disadvantages students who, through no fault of their own, attend private schools.

2. Breach of Article 25(1)(b) of the 1992 Constitution - Right to Equal Educational Opportunities

Article 25(1)(b) guarantees that: "Secondary education in its different forms, including technical and vocational education, shall be made generally available and accessible to all by every appropriate means, and in particular, by the progressive introduction of free education."

The policy in question undermines the constitutional promise of equal access to secondary education by artificially restricting private school students' chances of securing places in Category A SHS.

The result is that students who qualify on merit may be denied access due to the school they attended for basic education, which contradicts the provision of making education available on an equal footing for all.

3. Violation of Article 28(4) of the 1992 Constitution - Protection of the Child

Article 28(4) states: "No child shall be deprived by any other person of medical treatment, education or any other social or economic benefit by reason only of religious or other beliefs."

The 30% placement system amounts to a form of deprivation, where children from private schools are denied equal educational opportunities solely based on the type of school they attended for basic education. This constitutes a breach of their right to education as enshrined in the Constitution.

4. Violation of Article 38(3) - Right to Educational Reforms Based on Meritocracy

Article 38(3)(b) provides that the state shall ensure that educational institutions at all levels are opened to all Ghanaians based on merit.

By prioritizing public school students over private school students regardless of merit, the government is acting contrary to this provision, which emphasizes the need for merit-based access to educational institutions. The policy creates a situation where meritocracy is undermined, denying deserving students their rightful place in Category A schools based on academic performance.

UNFAIR DISCRIMINATION

The 30% priority placement policy has the effect of unjustly treating private school students as second-class citizens, despite many of these students excelling academically. Parents who sacrifice financially to send their children to private schools do so with the expectation that their children's performance will be rewarded based on merit, not school type.

Furthermore, it ignores the fact that many rural private schools, which often operate as non-profit institutions, are the only option for quality education in these communities. This policy unfairly penalizes children and families who have chosen private education, perpetuating a system of inequality and educational segregation.

RELIEF SOUGHT:

GNACOPS, GNAPS, PEC and NCPTA respectfully request that the Commission on Human Rights and Administrative Justice:

1. Investigates this matter thoroughly and determines whether the 30% priority placement system is in breach of the 1992 Constitution, specifically the provisions cited above.
2. Recommends the immediate abolition of the 30% priority placement system in favour of a merit-based admission policy for all students, regardless of the type of school they attended.
3. Issues directives to the Ministry of Education and the Ghana Education Service to adopt policies that guarantee equal access to senior high schools for both public and private school students, as required under the Constitution.

We trust that the Commission will give this petition the urgent attention it deserves, as the current policy continues to perpetuate systemic discrimination and negatively impact the educational futures of many Ghanaian children.

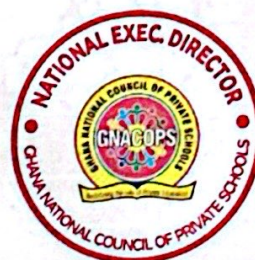
Thank you for your consideration. We are hopeful that through your intervention, justice and fairness will prevail.

Yours faithfully,

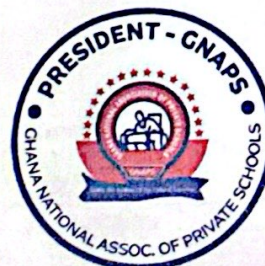
REPRESENTATIVE CAPACITIES:



1. **O BENFO NANA KWASI GYETUAH**
NATIONAL EXECUTIVE DIRECTOR, GNACOPS
7TH NOVEMBER, 2024



2. **PROF. DAMASUS TUUROSONG**
PRESIDENT, GNAPS
7TH NOVEMBER, 2024



3. **GAPSON KOFI RAPHEAL**
GENERAL SECRETARY, NCPTAs
7th November, 2024



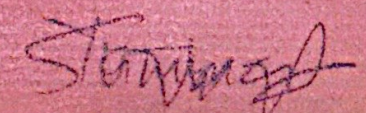
4. **MR. SMAUEL YEBOAH**
CHAIRMAN, (PEC)
7TH November, 2024

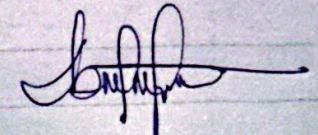



**Private
Education Coalition**
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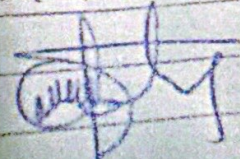
SIGNATURES OF SUPPORT:

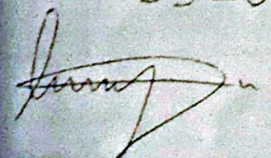
To demonstrate the widespread support for this petition, we invited the following stakeholders to sign below:


SUAKA DESMOND
PROPRIETOR
ATAFO
0542503526


NAME: GODWIN AZUMAH
POSITION: REGIONAL COORDINATOR
REGION: VOLIA REGION
CONTACT: 0243960518
SIGNATURE: 

ANGELA TAWIAH
DIRECTOR
GREATER ACCRA
0248203568


AURENCE AWATEY
REGIONAL COORDINATOR
EASTERN REGION
0244568497


LEMUEL KNOX AYENIE
C.E.O
CENTRAL REGION
0249332626


Name: Nathaniel Ameyie
Position: West Africa - South Coordinator
Signature: 
Contact: 0577643737

Pastor Nelson Aho
 Reverend Minister
 Coordinator
 Bono East Region
 024 77 95 261
 [Signature]

Name - Francis Kinsman Toffah
 Position - (GNACOPS) Team Facilitator
 Ejura - Coordinator
 Region - Ashanti
 Tel no - 0246640077/0507319277
 Sign - [Signature]

Name - Stephen Kwaku Adakuor (Zito)
 Position - Ga-East GNACOPS chairman
 Region - G. Accra
 Contact - 024 550 2914
 Signature - [Signature]

Name - John Abekah Essien
 Region - Western
 Position - Coordinator
 Signature - [Signature]
 School - Essien Academy

Name (4)	School	Telephone	Signature
1. Irene Mawofemor K.	Living Word Edu. (G. Accra)	05 47830584	[Signature]
2. Beatrice Lillian D. Amah	Living Word Edu. Centre Greater Accra	0249971300	[Signature]
3. Kennedy Ousu Appiah	St. Adelaide Sch. - Ejura (Ashanti)	024 2-268861	[Signature]
4. TONY KOFI ABIDIA	TONY COMMUNITY SCHOOL	0244776606	[Signature]
5. Rachael Lartey	Regis International	0560650071	[Signature]
6. Theophilus Addokey	Regis Int. School	0542607607	[Signature]

NAME	SCHOOL	REGION	CONTACT	SIGNATURE
1. Barnes Theophilus	Kasipe Memorial Int. Sch	Bono	0240600051	
2. Rev Patrick Ken Cudjoe	New Era Glory Academy	Eastern	0242528441	
3. Budu Kwekooa Gloria	Evergreen Blossom Academy	Eastern	0553546722	
4. Francis Afo Acquah	Evergreen Blossom Acad	Eastern	0243153022	
5. DAVID BOITWEY	Courtesy AMELIA ACADEMY	EASTERN	0243107310	
6. Priscilla A. Aguh	Dayspring Professional Institute	Accra	0558684554	
7. Noah O. Aguh	Dayspring Int. Lightside	Accra	0244613141	
8. P. K. ERIC LUTU	GREATER ERICUS INT SCH	BONO EAST	0558485955	
9. Francis Kinsman Toffah	Christian Loyalty Mission School	Achamti-Ejura	020246640077	

NAME	SCHOOL	REGION	TELEPHONE NO.	SIGNATURE
1. Fatima Samno	West Legon Academy	Greater Accra	02446656329	
2. Awudu Ibrahim	Markaz Abubakari	Bono	0547029117	
3. Godfred Oti Acheampong	Adventist Preparatory School	Ahafo -	0249104724	
4. Rev. Sr. Felicity Amikye	St. Mark Catholic School, Abim	Greater Accra	0548064691	
5. Emmanuella Eurama Davies	Beginners Springboard School	Central Region	0263441280	
6. Cole Cosnelwa Konadu	Floating crystals Academy	Greater Accra	0597023903	
7. Elizabeth Asantewaa	Holy Hills School Complex	EASTERN	0241495475	
8. Nathaniel Anyee	Beacon Hill School	Central Region	0599643737	

Cc:

1. MINISTER OF EDUCATION — *Nana Paffoe 8/11/24*
2. GHANA EDUCATION SERVICE — *Received 8/11/24*
3. ATTORNEY GENERAL'S DEPARTMENT
4. MINISTRY OF GENDER, CHILDREN & SOCIAL PROTECTION
5. CHILD RIGHTS INTERNATIONAL, GHANA
6. UNICEF UNITED NATIONS CHILDREN'S FUND
7. WORLD VISION INTERNATIONAL
8. IDP FOUNDATION
9. USAID